



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JLP:ddj
Docket No: 7641-98
21 March 2000

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 21 March 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by Series of Documents, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY

COMMANDER
NAVAL RESERVE RECRUITING COMMAND
4400 DAUPHINE STREET
NEW ORLEANS, LOUISIANA 70146-5095

IN REPLY REFER TO:

1133

N3120


FEB - 8 2000

From: Commander, Naval Reserve Recruiting Command
To: Officer in Charge, Naval Reserve Recruiting Command
Detachment TWO

Subj: BCNR REQUEST ICO [REDACTED]

Ref: (a) DD Form 149 ICO SNM
(b) COMNAVRESCUITCOMINST 1133.1D

1. In response to reference (a), SNM was properly enlisted into the Naval Reserve as a temporary LN2 and a permanent SN.
2. Reference (b), paragraph 304.5 directs that only "Personnel who have attended a Navy Class "A" School while a member of another branch of service, may be enlisted with the same permanent pay grade held in the other branch of service..". All other personnel applying for enlistment under the provisions of the Other Service Veteran (OSVET) programs are accessed based on Exhibit 3-9 of reference (a) which shows the applicant will be enlisted with an "AUTHORIZED TEMPORARY PAY GRADE" the "Same as grade held at time of discharge."
3. The DD Form 4 and DD Form 1966 shows the recruiter properly processed this member and informed her of the program prior to her enlistment. Additionally, the applicant would have signed a Annex "A" to DD Form 4 that would have outlined the temporary rating and the specific requirements needed to make that temporary rating permanent.
4. Point of contact for this matter is PNC(SW) [REDACTED] at DSN [REDACTED]


D. M. DARBY
By direction